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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/841,595 | 04/25/2001 | Koichi Motoike | 206569US2 | 4759 |

22850 7590 11/05/2002

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| EXAMINER |
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WELLS, KENNETH B

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| ART UNIT | PAPER NUMBER |
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2816

DATE MAILED: 11/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/841,595

Applicant(s)

MOTOIKE, KOICHI

Examiner

Kenneth B. Wells

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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1. The amendment filed on 9/17/02 has been received and entered in the case.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The new limitation in claims 1 and 11, that the value of the inductor is "set in accordance with a frequency of said controlled signal" is indefinite because it is misdescriptive, i.e., the inductance of inductor 1 is fixed regardless of the frequency of the input signal (the recited "controlled signal"). There is no means in the invention for setting (changing) the value of inductor 1 in response to the frequency of the input signal or otherwise.

4. Claims 11, 13, 14, 16, 17, 18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Bohan, Jr.

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The FET is transistor 21, the inductor is element 28 and the capacitor is element 26. The limitation on the last five lines of claim 11 is deemed to be inherent, since all of the claimed structure is fully anticipated by the reference, see *In re Best*, 195 USPQ 430.

The third capacitor element is capacitor 22. The limitation on the last four lines of claim 13 is deemed to be inherent, since all of the claimed structure is fully anticipated by the reference, see *In re Best*, 195 USPQ 430.

The control signal input circuit recited in claims 14 and 16 is any of the components, or the supply voltage generating circuitry (not shown), which applies potential to the drain of FET 21.

The limitations of claims 17 and 18 are deemed to be inherent, since all of the claimed structure is fully anticipated by the reference, see *In re Best*, 195 USPQ 430.

The bias supply circuit of claim 20 is applied to terminal 15.

5. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Fisher.

Note Figs. 1 and 2, where the FET is transistor 12 and the inductor is element 17. The capacitor of claim 2 is capacitor

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29, and the capacitor of claim 3 is capacitor 18. The limitations on the last five lines of claim 1, and the last four lines of claims 2 and 3, are deemed to be inherent, since all of the claimed structure is fully anticipated by the reference, see *In re Best*, 195 USPQ 430.

The control signal input circuit recited in claims 4-6 is any of the components, or the supply voltage generating circuitry (not shown), which applies potential to the drain of FET 12. The limitations of claims 7-9 are deemed to be inherent, since all of the claimed structure is fully anticipated by the reference, see *In re Best*, 195 USPQ 430.

The bias supply circuit of claim 10 is voltage source 15.

6. Claims 12, 15 and 19 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

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reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is 703-308-4809. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can

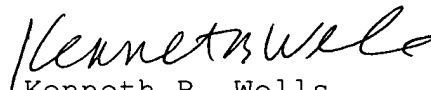
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be reached at 703-308-4876. The fax phone numbers for TC2800 are 703-872-9318 (before final) and 703-872-9319 (after final).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 703-308-0956.



Kenneth B. Wells
Primary Examiner
Art Unit 2816

November 4, 2002